

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

WIRTGEN AMERICA, INC.	)	
	)	
<i>Plaintiff/Counterclaim-Defendant,</i>	)	
	)	
v.	)	C.A. No. 17-770-JDW-MPT
	)	
CATERPILLAR INC.	)	JURY TRIAL DEMANDED
	)	
<i>Defendant/Counterclaim-Plaintiff.</i>	)	

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[PROPOSED ORDER]

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Having considered Wirtgen America, Inc.’s Motion to Compel Compliance with Third-Party Subpoena to Caterpillar Trimble Control Technologies LLC (the “Motion”) and any opposition thereto, IT IS HEREBY ORDERED THAT:

1. Wirtgen’s Motion is **GRANTED**;
2. Caterpillar Trimble Control Technologies (“CTCT”) is ordered to Search for and produce all non-privileged documents in CTCT’s possession that are responsive to Wirtgen’s Requests for Production within 14 days of resolution of Wirtgen’s Motion.

SO ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2023.

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UNITED STATES DISTRICT COURT JUDGE

**CERTIFICATE OF SERVICE**

I, Adam W. Poff, Esquire, hereby certify that on January 9, 2023, I caused the foregoing document to be served by email upon the following counsel:

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*/s/ Adam W. Poff*

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